

STATE OF NEVADA



BEFORE THE NEVADA COMMISSION ON ETHICS

**In the Matter of the Request for Opinion  
Concerning the Conduct of JIM GIBBONS,  
Governor, State of Nevada,**

**Request for Opinion No. 08-37C**

**Subject.**

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**PANEL DETERMINATION REGARDING JUST AND SUFFICIENT CAUSE**

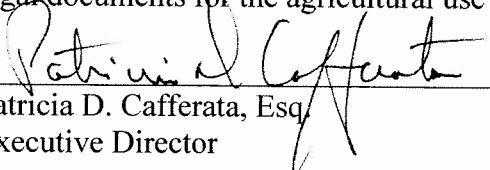
On September 11, 2008, pursuant to NRS 281A.440.3, Commissioners Timothy Cashman and Erik Beyer met and reviewed the Request for Opinion, the Subject's Responses, the Investigator's Report, the evidence and the Executive Director's Approval of Investigator's Report and Executive Director's Recommendation on the allegations that Jim Gibbons violated NRS 281A.400.2, NRS 281A.400.7 and NRS 281A.400.9.

The Nevada Commission on Ethics has jurisdiction to render a decision in this matter, pursuant to NRS 281A.280 and NRS 281A.440.2(b).

The Panel members voted unanimously to dismiss the allegation that Gibbons violated NRS 281A.400.2. The evidence of Gibbons' visit to the Elko County Assessor was insufficient to show that just and sufficient cause existed that he used his position as governor to secure an unwarranted tax deferment for himself for land located in Elko County.

The Panel members voted unanimously to dismiss the allegation that Gibbons violated NRS 281A.400.7. The evidence of Gibbons' use of the capitol office address to receive personal documents related to his application for an agricultural use property tax assessment was insufficient to show that just and sufficient cause existed because receiving the mail at the office did not interfere with the performance of his public duties and any cost related to that use would be nominal.

The Panel members voted unanimously to dismiss the allegation that Gibbons violated NRS 281A.400.9. The evidence that Gibbons hired John E. Marvel, Esq., a member of the Tax Commission, to file for an agricultural use assessment was insufficient to show that just and sufficient cause existed. Insufficient evidence existed that Gibbons influenced Marvel, an alleged subordinate, to obtain the agricultural use assessment. Gibbons has no direct supervision over Marvel, nor did he know Marvel was on the Tax Commission when he hired him to file the legal documents for the agricultural use assessment. Therefore, this matter is DISMISSED.

  
Patricia D. Cafferata, Esq.  
Executive Director

Dated: September 16, 2008